



**US Army Corps  
of Engineers®**

Buffalo District

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**March 2017**

## **FACT SHEET**

### **CenterState NY Inland Port proposed by the Port of Oswego Authority, Department of the Army (DA) Permit Processing No. 2015-00851**

Section 404 of the Clean Water Act (CWA)  
Regulatory

#### **Location**

- North of NYS 481, Towns of DeWitt & Onondaga, Onondaga County, NY

#### **Project Description**

- The Port proposes to fill approximately 25 acres of wetland for the construction of the CenterState NY InLand Port

#### **Congressional Interests**

- Senator Charles Schumer D-NY
- Senator Kristen Gillibrand D-NY
- Representative John Katko R-NY-24
- Representative Claudia Tenney R-NY-22

#### **Project Sponsor**

- Port of Oswego Authority ("Port")

#### **Project Manager**

- Bridget Brown (716)879-6329

#### **Current Status**

The Corps held a pre-application meeting with representatives from the Port, their counsel (Bond, Schoeneck & King) and consultants (C&S Engineers & EDR) and the property owner (Hanson Aggregates) on September 25, 2015 to discuss the proposed CenterState NY Inland Port project. The purpose of the meeting was to introduce the Corps to the project, site history and to relay concerns regarding expected development timeframes and for the Corps to identify the permitting requirements for the proposed project. At the Corps suggestion, a second pre-application meeting was held on December 4, 2015 with the federal and state resource agencies to allow for their early input on the preliminary design.

The consultants are working on submission of the joint permit application, specifically to address the analysis of alternatives. However, as a result of local concerns and opposition expressed during the State Environmental Quality Review (SEQR), the applicant has redirected their attention to address these local issues. The Corps was not provided a schedule for submission of the permit application.

#### **Issues**

- Jurisdictional Determination: EDR noted that the wetland delineation was more difficult due to the past mining activities and concerns were expressed regarding the potential for the Corps to perform a site inspection prior to winter. It was also noted that the Port intended to request a preliminary jurisdictional determination (PJD) due to the tight site development schedule. The Corps confirmed that a PJD results in all identified waters as being assumed as regulated. Corps suggested submission of the request for JD including delineation report ASAP so this could be made a priority as it is the end of the growing season.
- Approximately 25 acres of impact to waters of the US anticipated. This level of impact will require processing under individual standard permit, which includes 30 day public notice,

detailed alternatives analyses that avoid and/or minimize impacts to waters and draft mitigation plan. Average processing time from complete application is ~120 days.

- Project is located in close proximity to the winter hibernacula of the Indiana bat, a federally listed endangered species. Potential impacts to the species associated with project development will require consultation with the US Fish & Wildlife Service under Section 7 of the Endangered Species Act. Corps suggested early coordination with USFWS to determine potential concerns and suggestions for mitigation measures, if necessary. Corps noted a permit cannot be issued on any project until the Section 7 process is complete.

### **Path Forward**

- The draft delineation report was subsequently submitted on October 8, 2015. A site inspection was completed on October 22, 2015. EDR made minor revisions to the delineation based on Corps' field review and submitted a final report with request for a preliminary JD on November 17, 2015. On November 23, 2015, the Corps requested revisions to the report. The revisions have not been received.
- The Corps suggested that the Port provide their draft purpose statement and alternatives analysis framework for Corps input prior to permit application submission to identify any issues that would delay permit processing.
- Corps suggested submission of the permit application ASAP due to applicant's proposed construction schedule.

### **Background**

The Port is proposing to construct and operate an intermodal terminal facility, CenterState NY Inland Port along the north side of Interstate 481 in the Towns of Dewitt and Onondaga, Onondaga County, NY. The Inland Port will handle, warehouse and ship containerized freight between the CenterState region and the Port of NY/NJ. The Inland Port will provide a centralized location in New York State for freight transportation capabilities and value-added logistics capabilities, with the capacity to enhance manufacturers' storage and inventory management. The Project will reduce costs for regional manufacturers, allowing for the provision of long-term jobs and career building, company and industry growth, and increases in exports in accordance with regional and national export initiatives. The proposed site was used by Hanson Aggregates as a sand and gravel mine pursuant to a Mined Land Reclamation Permit. Hanson would be responsible for satisfying reclamation prior to the date that the Port acquires title to the Property. Due to anticipated increase in freight from upcoming completion of the Panama Canal expansion, the schedule for commencement of construction on the Inland Port is expected in April 2016 following completion of the state review process.



